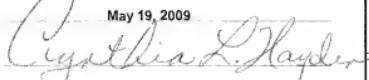


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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on <u>May 19, 2009</u></p> <p>Signature </p> <p>Typed or printed name <u>Cynthia L. Hayden</u></p>		<p>Application Number <u>10/750,075</u></p> <p>Filed <u>December 31, 2003</u></p> <p>First Named Inventor <u>Louis Lippincott et al.</u></p> <p>Art Unit <u>2621</u></p> <p>Examiner <u>Chikaodili E. Anyikire</u></p>	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s).</p> <p>Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,994</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p>		<p> Signature</p> <p><u>Timothy N. Trop</u> Typed or printed name</p> <p><u>(713) 468-8880</u> Telephone number</p> <p><u>May 19, 2009</u> Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: § Art Unit: 2621
Louis Lippincott et al. §
Serial No.: 10/750,075 § Examiner: Chikaodili E. Anyikire
Filed: December 31, 2003 § Conf. No.: 2083
For: Motion Estimation Sum of all § Docket: ITL.1703US
Differences (SAD) Array Having § P17498
Reduced Semiconductor Die § Assignee: Intel Corporation
Area Consumption §

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

As amended, claim 13 calls for logic circuitry to take an absolute difference between data values by masking a number of most significant bits and a circuit to perform a calculation to determine the number of most significant bits to mask.

The cited reference to Lam, cited for the teaching of such a circuit, does not do a calculation to determine the number of most significant bits to mask. He just masks a set number. See column 7, lines 32-40. This point is made even more clearly in connection with the description of Figure 5, where it is explained that the two most significant bits are all that need be preserved in order to selectively scramble audio. Thus, no calculation is ever done, but, instead, all that is done is that all but the two most significant bits are masked.

What the claims call for is doing the calculation to determine which most significant bits to mask.

The office action indicates that claim 10, which recites the equation used in one embodiment to do the calculation, is patentable. But it is respectfully submitted that no one ever

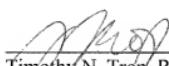
Cynthia L. Hayden

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Cynthia L. Hayden

did a calculation to determine which most significant bits to mask in the course of taking an absolute difference. Therefore, the broader claims should also be patentable and reconsideration is respectfully requested.

Respectfully submitted,

Date: May 19, 2009



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